

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

CATHARINA BIANCO, as Executrix for the Estate  
of FRANK BIANCO, and CATHARINA BIANCO,  
Individually,

Plaintiff,

- against -

A.O. SMITH WATER PRODUCTS CO., et al.,

Defendants.

I.A.S. Part 11 (Madden, J.)

Index No. 115546-06

**AFFIRMATION OF SANDRA  
K. STEINMAN IN SUPPORT  
OF UNION CARBIDE  
CHEMICALS AND PLASTICS  
COMPANY, INC.'S MOTION  
*IN LIMINE***

This document relates to

Frank Bianco	Index No. 115546-06
Karl Felten	Index No. 114005-06
Christian Holinka	Index No. 114120-06
Frederick Ritzer	Index No. 111328-06
Joseph Saccamano	Index No. 113299-06

SANDRA K. STEINMAN, an attorney duly admitted to practice before the courts of this state, affirms the following to be true under penalties of perjury:

1. I am an attorney with the law firm Anderson Kill & Olick, P.C., counsel in the above-captioned action for defendant Union Carbide Chemicals and Plastics Company, Inc. I am fully familiar with the facts and circumstances set forth herein.

2. I respectfully submit this affirmation in support of Union Carbide Chemicals and Plastics Company, Inc.'s motion *in limine* for an order seeking Forty-Eight Hour Pre-Disclosure of Documents and Witnesses, Respectively, together with such other and further relief as the Court deems just and proper.

3. Based on all pleadings herein and argument to be made before this Court, Union Carbide Chemicals and Plastics Company, Inc.'s motion should be granted in its entirety.

WHEREFORE, Union Carbide Chemicals and Plastics Company, Inc. respectfully requests that this Court issue an Order granting Union Carbide Chemicals and Plastics Company, Inc.'s motion *in limine*, and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York  
August 22, 2007

ANDERSON KILL & OLLICK, P.C.

By: 

Sandra K. Steinman  
1251 Avenue of the Americas  
New York, New York 10020-1182  
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Attorneys for Union Carbide Chemicals and Plastics Company, Inc.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

CATHARINA BIANCO, as Executrix for the Estate  
of FRANK BIANCO, and CATHARINA BIANCO,  
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I.A.S. Part 11 (Madden, J.)

Index No. 115546-06

**DEFENDANT'S MOTION *IN LIMINE* FOR FORTY-EIGHT HOUR PRE-DISCLOSURE OF DOCUMENTS AND WITNESSES, RESPECTIVELY**

This document relates to

Frank Bianco	Index No. 115546-06
Karl Felten	Index No. 114005-06
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TO ALL PARTIES HEREIN AND TO THEIR ATTORNEYS OF RECORD:

Defendant Union Carbide Corporation moves this Court *in limine* for the following orders in conjunction with this trial<sup>1</sup>:

1. That each party advise all other parties, at least forty-eight (48) hours in advance of trial, of each witness that the party will call at trial.
2. That each party designate documents at least forty-eight (48) hours prior to seeking to admit the documents into evidence or to elicit testimony from a witness concerning the documents.

<sup>1</sup> At this time, there has been no identification of products containing Union Carbide's Calidria asbestos in any of the five cases represented by the above-styled caption. It is on this basis that Union Carbide submits this consolidated motion *in limine*. However, should Plaintiffs offer evidence of product identification that could implicate Union Carbide's Calidria asbestos in any of the five (5) cases, Union Carbide reserves the right to oppose the consolidation of said cases at that time.

3. That no documents be specifically referred to, or quoted, by any attorney or witness until the opposing side has had the opportunity to request a hearing on their admissibility, out of the presence of the jury.

The above orders will allow the parties to adequately prepare for trial.

There are thousands of documents and hundreds of potential witnesses available to all parties. Many documents and some testimony should be excluded, and the parties are entitled to request a hearing to determine their admissibility. Additionally, disputed evidence should not be referred to in the presence of the jury until the Court has issued a ruling. Equal application of the orders requested will ensure fairness to all parties, avoid undue prejudice, and result in a faster and more efficient trial.

Dated: New York, New York  
August 22, 2007

Respectfully submitted,

ANDERSON KILL & OCLICK, P.C.

  
Judith A. Yavitz  
Sandra K. Steinman

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